U.S. DISTRICT COURT DISTRICT OF VERMONT FILED

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF VERMONT

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THOMAS COLE, Plaintiff,	CLERK DEPUTY CLERK)
v.) Case No. 2:18-cv-220
FOXMAR, INC. d/b/a EDUCATION AND TRAINING RESOURCES,)))
Defendant.)

VERDICT OF THE JURY

We the jury unanimously find the following:

Question 1: Whether Plaintiff Established the Elements of a Retaliation Claim under VOSHA.

Did Plaintiff establish by a preponderance of the evidence that Defendant terminated his employment in retaliation for engaging in a protected activity under VOSHA?

YES ✓ NO

Question 2: Whether Plaintiff Established the Elements of a Retaliation Claim under VESTA.

Did Plaintiff establish by a preponderance of the evidence that Defendant terminated his employment in retaliation for engaging in a protected activity under VESTA?

YES ✓ NO___

If you answer "YES" to either Question 1 or Question 2, you must enter a verdict for Plaintiff Thomas Cole in response to Question 3. If you answered "NO" to both Question 1 and Question 2, you must enter a verdict for Defendant Foxmar, Inc. d/b/a Education and Training Resources in response to Question 5.

Question 3:					
We find in favor of Plaintiff Thomas Cole [che	eck here if "YES"]				
Question 4: Damages.					
What, if any, damages do you find Plaintiff Thomas C	ole has proved by a				
preponderance of the evidence that he is entitled to:					
(1) Compensatory Damages:					
a. Back Pay:	\$ 55,305.				
b. Front Pay:	\$ 55,305. \$ 85,63 8 . \$ 75,000.				
c. Emotional Distress Damages:	\$ 75,000.				
d. Total Compensatory Damages	\$ 215,943.				
	(This must equal (a), (b),				
	and (c))				
OR					
(2) Nominal Damages:	\$				
If you decide compensatory damages should be awarded, do not enter an award of nominal damages but instead enter zero in this category. If you find that nominal damages should be awarded, do not enter an award of compensatory damages but enter a zero in this category.					
(3) Punitive Damages:	\$ <u>3,000,000</u> .				
Total Damages:	\$3,215,943				
	(This must equal the three				
	categories (1), (2), and (3)				
	above.)				
DO NOT INCLUDE PREJUDGMENT INTEREST IN	N YOUR AWARD				
Question 5:					
We find in favor of Defendant Foxmar, Inc. d/b/a Edu	cation and Training				

Resources. ____ [check here if "YES"]

After completing this section, please have the foreperson sign and date this verdict form	۱.
SO SAY WE ALL.	

Date 7/30/2021